Dear Howard,

11/5/76

And my files.

Before now you should have read my deep misgivings about the House committee. For several weeks I've been getting and feeling bad vibes. I've probably not communicated them all, if any, in carbons. It was apparent in several way the day I met with them. One I may not have mentioned is that none of their JFK staff talked to me. Nor since.

What they have been doing is consulting with Bill Turner and one Richard Lee Lewis, those kind. These two in one day.

They were too anxious to be off and running on the King assassination, without the basics, too. On this they've been pushing. First with several broken appointments with Jim and then with a request for a release from him. He consulted me. I asked him to stipulate certain conditions. They appear to have agreed and this afternoon showed up with a release and no agreement binding on them -in fact with the assurance that all Congressional committees leak. So he called me.

I had laid the basis with the bona fides approach I took with Sprague. The silence is the reflection. So I suggested several immediacies to Jim. One is that he tell Jimmy not to sign a relesase if they show up with it. (I also told him to tell the warden to give no one access under any conditions.) He said he'd phone Jimmy tomorrow. I also told him to write Sprague a tough letter immediately - or to let me do it. He does not want me to so I wont. He says he'll think about it for himself. This can lead to a disaster just when we are doing so well.

Jimmy is not with it. He is quite likely to say what will be distorted. He has a neat way of putting what he wants to say this way. It was a plague at the evidentiary hearing.

I told Jim to write the committee that he is Ray's lawyer and his only lawyer and he absolutely forbids any interview with his client while he is counsel and the case is before the courts except under those conditions he considers essential to his client's rights and the needs of the working of our system of justice.

He must get this to them before they can have anyone there.

I've already stipulated the conditions and Jim had agreed with them. He also found them right and reasonable.

There is no need for anyone to see Jimmy now. There certainly is no need for anyone to go there to get any kind of release signed. The mails are not that bad and their rush is not that great. They have something else in mind. This is a cover for it. Their cover is not even clever.

I tried to tell Jim that the time to be firm, direct and unequivocal is now and that it can be very hurtful not to be - now. But he shuns fights. My view is that there is no better way to lose them and no better way to invite more of them.

No matter how small, powerless and unheard the one who is vigorous and stands and declares it, he accomplishes something by it. It is the only way for the weak.

I've just gone over the transcript in which I politely but straightout called AUSA Dugan a deliberate liar. His response, of all things, was to confirm it. He probably has never been talked to that way. I told the judge, also politely, that she was party to deliberate, premeditated violation of my rights and the Act. She did not like it. I want all of this in the record. For the tomorrows there will be. I remain unchallenged, unquestioned and without even perfunctory response as on cross-examination I merely made a stronger record than on direct, where I was to a degree limited by the questions asked. Dugan did pooped out on me and he is their toughest, least inhibited. I may well wind up filing charges with the bar and suing for damages. Yeah, it says in the code book that this is futile. Not say. Getting a judgement is not all that counts.

As you will see by instinct I've taken an initiative where there in time may be some need - and hope - for it. I have learned to trust these instincts. They are really more than that. They are the result of years of bitter experience from which I have not learned enough. I had a feeling very early yesterday morning - even early for me. As I look back on it now my guess is that it was Scott's phone call about Lewis in which he blabbed about Bill Turner, too. This is irrational and utterly irresponsible on their part.

I here got so much more concerned that I phoned Jim. There was even more ground for apprehension. Even nasty cracks at him to him in the form of snide questions about his relations with and influence on Jimmy. By your local in particular, Gonzalez' man.

Jim has agreed to write Sprague immediately, a tough lawyer's letter about how he is Jimmy's only counsel and what he insists upon as Jimmy's counsel as lomg as he is and with the case still before the courts. He is to forbid any effort to interview Jimmy, any effort to see him without Jim present under any circumstances and to refuse to permit the signing of any waiver until he conditions are met.

These loonies want a waiver on questioning Foreman without knowing anything about Foreman. In three weeks they have not even picked up copies of a single brief. Ask yourself how you could think of questioning Foreman at this stage of an unbegun investigation.

Jim has agreed to tell the warden that he forbids any access of any of these poepple to his client and to go into further detail with Jimmy. He will call tomorrow.

I don't think there is a decent lawyer in the country who will not agree with Jim.

I didn't go into the politics of it with Jim. I merely asked him what alternative he can see for himself. He was concerned that the committee would ridicule him. His word. I told him they could not and would not dare.

The last think this committee or Sprague or any savvy lawyer wants is a fight in public with defense counsel whose sole concern is with the law and his client's rights. If they pick a fight with jim now it can be ruinous to them. They can't be stupid enough not to know this. I told Jim that if they do and if he fights as they can they8ll make him. I mean it. I have seen this before. They'll make him in more ways than I indicated. Jim is a real nice quiet guy who almost never looses his temper. He has yet to learn about fighting and its professional benefits for lawyers.

I don't know what is going to happen. But I do know that if there is any dirty stuff at some point there is going to be a fight, whether or not Jim does it. I am of the opinion that when the black members are back there may be some trouble if they do not behave. Foreman is a virulent racist.

You can be sure that as of now they'll get nothing more from me.

Jim does not object to my writing Sprague. I may do it in the morning. I'll sleep on it. Jim has come to see now, I think, that among the issues floating around in the minds of these operators is trying him if not us out, to see how far they can go. I've told him to be as mean as he thinks I would be and multiply by 10. He won't and he knows I did not really intend mean. But I'm hoping he writes a very firm letter.

I hate for there to be these new time-wasters but there really is no choice.

It may be interesting and perhaps a little different for a while.

But regardless of this one question, all the indications are that the feebs will be able to manipulate these people as they have all other committees. As of now the one chance I see, little as I have been able to see, is Sprague's concept of where his interests lie. He was certainly making out well enough in private practise not to have been attracted to this for a salary.

Hastily,